

Appl. No. 09/881,229
Amdt. Dated November 19, 2004
Reply to Office action of August 25, 2004
Attorney Docket No. P14395-US1
EUS/JIP/04-3275

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claim 26 and canceled claim 25. Applicant respectfully submits no new matter has been added. Accordingly, claims 2-23 and 26-28 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Allowable Subject Matter

The Applicant gratefully acknowledges the allowance of claims 2-23 and notes with appreciation the conditional allowance of claims 25 and 27. Claim 26 has been rewritten to include the allowable limitations of claim 25. No amendments have been made to narrow the scope of the pending claims or to create any sort of estoppel.

Claim Rejections – 35 U.S.C. § 112

Claims 25-28 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter as the invention. Claim 25 has been canceled and the limitations of claim 25 have been incorporated into independent claim 26. The language objected to in claim 26 has been corrected and the vague and indefinite phrase noted in claim 26 has been amended. The Applicants have corrected the deficiencies in claim 26 and respectfully request the withdrawal of the rejection of claims 25-28.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 26 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawano et al. (US 00656405 B1, hereinafter Kawano) in view of Spear. The Applicant respectfully traverses the rejection of these claims.

The Applicant has amended independent claim 26 to include the allowable limitations of claim 25 and the allowable limitations noted in the previous Office Action. The limitations incorporate include that of "...said base transceiver station contacting said plurality of base station controllers identified in said list one at a time until said

Appl. No. 09/881,229
Amdt. Dated November 19, 2004
Reply to Office action of August 25, 2004
Attorney Docket No. P14395-US1
EUS/J/P/04-3275

secondary base station controller is identified," the memory for the list of base station controllers and the pointer that points to a secondary base station controller. These limitations are not taught or suggested in either Kawano or Spear, either individually or in combination. Claim 28 depends from amended independent claim 26 and contains the same allowable limitations. This being the case, the Applicant respectfully requests the withdrawal of the rejection of claims 26 and 28.


Appl. No. 09/881,229
Amdt. Dated November 19, 2004
Reply to Office action of August 25, 2004
Attorney Docket No. P14395-US1
EUS/J/P/04-3275

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,


By Sidney L. Weatherford
Registration No. 45,602

Date: November 19, 2004

Ericsson Inc.
6300 Legacy Drive, M/S EVR 1-C-11
Plano, Texas 75024

(972) 583-8656
sidney.weatherford@ericsson.com